

Message Text

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S E C R E T SEOUL 0218

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E.O. 11652: GDS
TAGS: PGOV, KS, US
SUBJECT: HOUSE ETHICS COMMITTEE ASKS DEPARTMENT TO NEGOTIATE
CONGRESSIONAL ACCESS TO TONGSUN PARK

REF: STATE 5848

ETHICS COMMITTEE REQUEST TO DEPARTMENT TO NEGOTIATE FOR
:9,&43 89,-) -:3 59 59,& 7, 0-4(-,\$ *8,\$ 5#3., WITH
SOME MODIFICATION, TO BE EXCELLENT. I HAVE ALSO DISCUSSED
THE MATTER WITH DEPUTY ATTORNEY GENERAL CIVILETTI.

2. THERE ARE THREE AREAS IN WHICH I THINK PLANS SHOULD BE
MODIFIED: FIRST, AFTER TALKING IT OVER WITH CIVILETTI IT SEEMS
TO ME THAT WE SHOULD ATTEMPT TO KEEP OUR DISCUSSIONS WITH THE
ETHICS COMMITTEE IN A SINGLE CHANNEL TO AVOID ANY POSSIBLE
CONFUSION. THEREFORE, I WOULD STRONGLY URGE THAT DEPARTMENT
LEGAL ADVISER HANSELL NOT TELEPHONE JAWORSKI IN RESPONSE TO
JAWORSKI'S LETTER TO HANSELL, AS SUGGESTED PARA 4, REFTEL.
IF HANSELL FEELS THAT HE IS UNDER OBLIGATION TO RESPOND TO JAWORSKI,
I BELIEVE THAT A BRIEF LETTER OF
ACKNOWLEDGEMENT OF JAWORSKI'S LETTER, WHICH ENCLOSES A COPY
OF THE DEPARTMENT'S RESPONSE TO CHAIRMAN FLYNT, WOULD BE
THE BETTER COURSE. THE LETTER COULD ALSO OFFER TO MEET WITH
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BOTH THE CHAIRMAN AND COMMITTEE COUNSEL TOGETHER AT AN
APPROPRIATE TIME.

3. THE TIME FRAME FOR DELIVERY OF THE RESPONSE TO
FLYNT/SPENCE LETTERS PROPOSED IN PARA. 3 SEEMS FINE.
IN THE INITIAL RESPONSE, HOWEVER, I WOULD URGE THAT
WE SEEK TO CLARIFY SUCH SUBJECTS AS TIMING AND LOCATION
FOR POSSIBLE ACCESS TO TONGSUN PARK RATHER THAN BEGIN

IMMEDIATELY WITH A DISCUSSION OF SCOPE OF THE INTER-ROGATION AS SUGGESTED. CLEARLY, WE WILL NEED TO ADDRESS THE SCOPE OF THE INTERROGATION AT SOME POINT, BUT I DO NOT BELIEVE THAT IT SHOULD BE THE INITIAL POINT OF ADDRESS.

4. IN DISCUSSIONS WITH THE COMMITTEE, I BELIEVE WE SHOULD DOWNPLAY THE JUSTICE DEPARTMENT INTERROGATION IN SEOUL NOW SCHEDULED TO BEGIN ON FRIDAY, JANUARY 13. CLEARLY, THE FACT THAT THIS INTERROGATION IS PROCEEDING IS CAUSING CONSIDERABLE UNHAPPINESS. RATHER, WE SHOULD SUGGEST THAT FOLLOWING INTERROGATION IN SEOUL AND A REVIEW OF THE RESULTS, WHATEVER THEY MAY BE, WE WILL BE IN A BETTER POSITION TO MORE FULLY DEFINE THE COMMITTEE'S REQUIREMENTS AND DEVELOP THE BEST POSSIBLE NEGOTIATING STANCE. SUCH AN APPROACH DOES NOT, IN MY VIEW, FORCE A COMMITTEE RESPONSE REGARDING THE VALIDITY OF THE CURRENT INTERROGATION.

5. IN ADDITION TO THE ABOVE MODIFICATION, I BELIEVE THAT IN OUR DISCUSSIONS WITH THE ETHICS COMMITTEE WE MUST POINT OUT THE DIFFICULTIES INVOLVED IN NEGOTIATIONS ON THIS SUBJECT. MOST PARTICULARLY, THAT THE ROKG DOES NOT RESPOND FAVORABLY TO PUBLIC TONGUE LASHING. IN THAT REGARD, THEREFORE, IF IT IS HOPED TO CONCLUDE A
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SUCCESSFUL NEGOTIATION, SOME DEGREE OF RESTRAINT ON PUBLIC DECLARATIONS WILL BE REQUIRED. I REALIZE THIS IS A DIFFICULT SUBJECT TO HANDLE BUT BELIEVE IF WE ARE TO NEGOTIATE IT MUST BE ADDRESSED.

6. REGARDING PARA. 6 REFTL, I TOO BELIEVE THAT THE ROKG IS RELUCTANTLY ACCEPTING THE INEVITABILITY OF SOME FORM OF DIRECT CONGRESSIONAL ACCESS TO TONGSUN PARK. THEY ARE, HOWEVER, HOPEFUL THAT THIS CAN BE DELAYED AND STAGED SO AS TO OCCUR WHEN PARK VISITS THE US, WITHOUT A DIRECT ROKG ROLE. FOLLOWING THIS VIEW, THEREFORE, I WOULD URGE THAT WE PROCEED CAUTIOUSLY IN OUR EFFORTS TO NEGOTIATE ON BEHALF ON THE ETHICS COMMITTEE AND DEVOTE OUR GREATER EFFORT TO ASSURING THAT THE NEEDS OF THE COMMITTEE ARE, IN THE FINAL ANALYSIS, FULLY SATISFIED.
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